



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 18, 1998

THE ADMINISTRATOR

The Honorable Paul Helmke
President, U.S. Conference of Mayors
Mayor of Fort Wayne
1620 Eye Street, N.W.
Washington, D.C. 20006

The Honorable Dennis Archer
Mayor of Detroit
City County Building
2 Woodward Avenue
Detroit, MI 48226

The Honorable Deedee Corradini
Mayor of Salt Lake City
City and County Building
451 South State Street
Salt Lake City, UT 84111

The Honorable Patrick McCrory
Chair, Energy and Environment Committee,
U.S. Conference of Mayors
Mayor of Charlotte
Government Center
600 East 4th Street
Charlotte, NC 28202

Dear Mayors Helmke, Archer, Corradini, and McCrory:

For the past five years, the U.S. Environmental Protection Agency (EPA) has made environmental cleanup and economic revitalization of our nation's cities a top priority. Working with mayors, county executives, and local governments across the nation, we have marshaled unprecedented federal resources and attention to bring new hope and promise to some of the most devastated urban areas in our country. In doing so, the Agency is committed to ensuring that minority and lower income communities are not unfairly burdened by environmental pollution. I remain convinced that economic development of our cities can continue to progress in a manner that fully respects the rights of all of our citizens to a safe and healthy environment.

Through our **Brownfields** Action Agenda, we have reformed the rules for cleanup of moderately contaminated abandoned urban sites, and overcoming the stigma that prevented redevelopment of these areas, help transform them into clean and attractive areas for investment and redevelopment. In partnership with the U.S. Conference of Mayors and its members, and other stakeholders, these efforts have leveraged nearly one billion dollars in private investments in urban brownfield redevelopment throughout the nation. And we have improved the health of communities by spurring toxic pollution removals and cleanups. We have shown that economic development and environmental protection are inextricably linked, and each can go forward only with the other. This approach has the added benefit of avoiding further environmental degradation caused by sprawl when so-called “greenfields” are developed in place of our inner cities.

Long-standing laws such as the Civil Rights Act of 1964 require that the federal government not promote discrimination on the basis of race, color, or national origin. Under Title VI of the Civil Rights Act, citizens may file complaints with EPA that allege discriminatory effects resulting from the programs and activities of EPA funding recipients. Many of these complaints raise concerns regarding the issuance of pollution control permits by state and local governmental agencies. EPA is now investigating 15 formal Title VI complaints from communities. We have a responsibility to evaluate those claims in a balanced, **careful** way that protects the communities and the needs of local economies. We feel the public should know our views on this issue as we consider these complaints. That is why EPA recently issued an Interim Guidance to provide transparency in the process we are currently using to evaluate those claims.

The U.S. Conference of Mayors has under consideration whether EPA’s recent focus on resolving environmental justice complaints is at odds with accomplishing urban redevelopment. As our brownfields efforts demonstrate, this is not the case. Our experience across the nation has shown that, working in partnerships with communities, we can identify plans for the cleanup and redevelopment of polluted sites that will bring jobs and hope – not division and charges of racism. In fact, none of the currently pending environmental justice complaints registered with EPA concerns a brownfields development. Just the opposite is true – eliminating pollution and restoring hope and jobs is vital to bringing justice to many urban communities.

We have heard the criticism that EPA’s interim guidance for evaluating Title VI complaints was developed without sufficient public input. That is why we have convened a group of **highly** respected community and business leaders, state and local officials, and community and **environmental groups to advise us on** these-matters. ~~We are hopeful that this group can help us~~ develop a process that builds environmental justice considerations into development plans from the beginning – rather than requiring a special federal review at the end. That way, communities can have the input to which they are entitled, businesses can have the certainty they deserve, and state and local **decisionmakers will** not feel undermined by an after-the-fact special federal review. I have asked this advisory committee to provide its recommendations by December 1998, and EPA will not finalize its Title VI guidance until we have received this input. EPA plans to issue the **final** guidance in the spring of 1999.

As part of this effort, EPA would like to extend an invitation to the U.S. Conference of Mayors to jointly host a roundtable on this issue to provide a focused forum for cities to raise their concerns. In addition, EPA would like to work with the U.S. Conference of Mayors to conduct several case studies of current brownfields efforts to focus on the interplay between brownfields cleanup and redevelopment, environmental justice, and environmental permitting requirements. The case studies would apply existing EPA resources and other problem solving tools such as the Federal Interagency Partnership as needed. EPA would develop the case study results into "lessons learned" and provide them to the Federal Advisory Committee on Title VI Implementation, the U.S. Conference of Mayors, and other interested parties.

Thirty-five years ago, when the Civil Rights Act was adopted, no one fully appreciated that pollution could also be a means for adversely affecting some communities more than others. I remain convinced that economic development of our cities can continue to progress without violating the rights of any of our citizens to a safe and healthy environment. While we do not yet have all the answers, I believe we can find a constructive path to this end without sacrificing either the environment or economic opportunity. I urge the U.S. Conference of Mayors to work with us in its continued leadership in this effort.

Sincerely,

A handwritten signature in black ink, reading "Carol M. Browner". The signature is fluid and cursive, with the first name "Carol" being more prominent and the last name "Browner" following in a similar style. Below the signature, the name "Carol M. Browner" is printed in a standard, sans-serif font.

cc: J. Thomas Cochran, Executive Director, U.S. Conference of Mayors